

09/707185

C 68 C

Patent No. 7,020,623
Request for Cert. of Correction dated June 6, 2006
Attorney Docket No. 3520-000808



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent No. : 7,020,623 Confirmation No. 8116
Inventors : Tiley et al.
Issued : March 28, 2006
Title : Method Of Inducing A Purchaser To Visit A Retail Outlet
At A Remote Location And Of Inducing A Retail Outlet
To Act As Such A Remote Location
Examiner : Nicholas D. Rosen
Customer No. : 28289

REQUEST FOR CERTIFICATE OF CORRECTION OF PATENT
FOR PTO MISTAKE (37 C.F.R. 1.322(a))

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

ATTENTION: Decision and Certificate of Correction Branch
Patent Issue Division

Certificate
JUN 12 2006
of Correction

Sir:

In accordance with 35 U.S.C. §254, we attach hereto Form PTO/SB/44 and a copy of proof of PTO errors and request that a Certificate of Correction be issued in the above-identified patent. The following errors appear in the patent as printed:

Face of the Patent, See Item (56), References Cited, OTHER PUBLICATIONS, the first document, line 1, "Ssytems Provide" should read -- Systems Provide --
Same Reference, line 3, "Executiv with" should read -- Executive with --
(See Form PTO-892 sent with the Office Action dated 11/18/2003. These were Examiner's typos.

Face of the Patent, See Item (56), References Cited, OTHER PUBLICATIONS, Page 2, Column 2, the last four references appear to be duplicates of references already cited.
(See IDS returned initialed by the Examiner with the Office Action dated 11/18/2003.)

Column 21, delete Claim 2, lines 5-10 and insert the following:
-- 2. The method according to claim 1 further comprising the step of arranging for the purchaser to pick up the product at the selected outlet. --
(See Amendment dated September 12, 2005, page 3, Claim 2.)

Column 21, Claim 6, Line 37, "to claims 3" should read -- to claim 3 --
(See Amendment dated September 12, 2005, page 4, Claim 7, Line 1.
Claim 7 issued as Claim 6.)

JUN 12 2006

Patent No. 7,020,623
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Attorney Docket No. 3520-000808

Column 21, Claim 8, Line 50, "shipping code" should read -- shipping cost --
(See Amendment dated September 12, 2005, page 14, Claim 49, Line 2.
Claim 49 issued as Claim 8.)

Column 21, delete Claim 10, Lines 55-57 and insert the following:
-- **10.** The method according to claim 1, wherein the reduction in shipping cost is
provided by the supplier of the product to be shipped. --
(See Amendment dated September 12, 2005, page 14, Claim 51, Lines 1-2. Claim 51 should
have issued as Claim 10. The USPTO duplicated Claim 50 which issued as Claim 9.)

Column 23, Claim 20, Line 5, "as potentials product pick up locations" should read
-- as potential product pick up locations --
(See Amendment dated September 12, 2005, page 7, Claim 17, Line 5.
Claim 17 issued as Claim 20.)

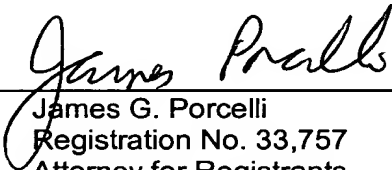
Column 24, Claim 30, Line 50, "to claims 28" should read -- to claim 28 --
(See Amendment dated September 12, 2005, page 10, Claim 28, Line 1.
Claim 28 issued as Claim 30.)

Column 26, Claim 47, Line 21, "purchased, store location" should read -- purchased, retail outlet
location --
(See Amendment dated September 12, 2005, page 13, Claim 44, Line 3 and the Examiner's
Amendment accompanying the Notice of Allowability. Claim 44 issued as Claim 47.)

Column 26, Claim 48, Line 45, "e) using this" should read -- d) using this --
(See Amendment dated September 12, 2005, page 14, Line 1 of Claim 45.
Claim 45 issued as Claim 48.)

Respectfully submitted,

THE WEBB LAW FIRM

By 
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Attorney for Registrants
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436 Seventh Avenue
Pittsburgh, PA 15219
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JUN 12 2006

UNITED STATES PATENT AND TRADEMARK OFFICE **CERTIFICATE OF CORRECTION**

Page 1 of 2

PATENT NO. : 7,020,623
 APPLICATION NO. : 09/707,185
 ISSUE DATE : March 28, 2006
 INVENTOR(S) : Tiley et al.

It is certified that an error appears or errors appear in the above-identified patent and that said Letters Patent is hereby corrected as shown below:

Face of the Patent, See Item (56), References Cited, OTHER PUBLICATIONS, the first document, line 1, "Ssytems Provide" should read -- Systems Provide --
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Face of the Patent, See Item (56), References Cited, OTHER PUBLICATIONS, Page 2, Column 2, delete the last four references as they are duplicates of references already cited.

Column 21, delete Claim 2, lines 5-10 and insert the following:

-- 2. The method according to claim 1 further comprising the step of arranging for the purchaser to pick up the product at the selected outlet. --

Column 21, Claim 6, Line 37, "to claims 3" should read -- to claim 3 --

Column 21, Claim 8, Line 50, "shipping code" should read -- shipping cost --

Column 21, delete Claim 10, Lines 55-57 and insert the following:

-- 10. The method according to claim 1, wherein the reduction in shipping cost is provided by the supplier of the product to be shipped. --

Column 23, Claim 20, Line 5, "as potentials product pick up locations" should read -- as potential product pick up locations --

MAILING ADDRESS OF SENDER: The Webb Law Firm
 700 Koppers Building
 436 Seventh Avenue
 Pittsburgh, PA 15219-1845

This collection of information is required by 37 CFR 1.322, 1.323, and 1.324. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.0 hour to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-2450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Attention Certificate of Corrections Branch, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select Option 2.

**UNITED STATES PATENT AND TRADEMARK OFFICE
CERTIFICATE OF CORRECTION**

Page 2 of 2

PATENT NO. : 7,020,623
APPLICATION NO. : 09/707,185
ISSUE DATE : March 28, 2006
INVENTOR(S) : Tiley et al.

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Column 26, Claim 47, Line 21, "purchased, store location" should read -- purchased, retail outlet location --

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UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
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Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/707,185	11/06/2000	Steven D. Tiley	3520-000808	8116

7590 11/18/2003

Webb Ziesenheim Logsdon
Orkin & Hanson PC
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818

EXAMINER

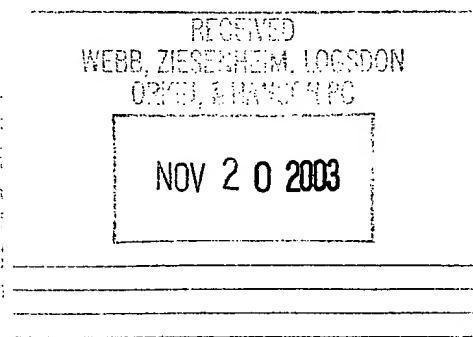
ROSEN, NICHOLAS D

ART UNIT PAPER NUMBER

3625

DATE MAILED: 11/18/2003

Please find below and/or attached an Office communication concerning this application or proceeding.





Application No.

09/707,185

Applicant(s)

TILEY ET AL.

Examiner

Nicholas D. Rosen

Art Unit

3625

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 7/25/01.
- 2a) ☐ This action is **FINAL**.
- 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-47 is/are pending in the application.
 - 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-47 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☒ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 06 November 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.

If approved, corrected drawings are required in reply to this Office action.
- 12) ☒ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some * c) ☐ None of:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.
- 14) ☒ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
 - a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 4,5.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____



#4

Sheet 1 of 2

RECEIVED

MAY 22 2001

Technology Center

FORM PTO-114 U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
3520-000808-HSERIAL NO.
09/707,185INFORMATION DISCLOSURE STATEMENT
STATEMENT BY APPLICANTAPPLICANT(S)
Stephen D. Tiley et al.FILING DATE
November 6, 2000GROUP
2161

(Use several sheets if necessary)

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
NDR	AA	5	9	3	0	7	6	4	7-27-99	Melchione et al.	705	10	
NDR	AB	5	9	4	8	0	6	1	9-7-99	Merriman et al.	709	219	
NDR	AC	5	9	6	6	6	9	5	10-12-99	Melchione et al.	705	10	
NDR	AD	5	9	7	0	4	6	9	10-19-99	Scroggie et al.	705	14	
NDR	AE	5	9	7	4	3	9	6	10-26-99	Anderson et al.	705	10	
NDR	AF	5	9	9	5	9	4	2	11-30-99	Smith et al.	705	14	
NDR	AG	6	0	1	4	6	3	4	1-11-00	Scroggie et al.	705	14	
NDR	AH	6	0	2	6	3	6	9	2-15-00	Capek	705	14	
NDR	AI	6	0	2	9	1	4	1	2-22-00	Bezos et al.	705	27	
NDR	AJ	6	0	7	6	0	6	9	6-13-00	Laor	705	14	
NDR	AK	6	0	8	5	1	7	0	7-4-00	Tsukuda	705	26	

FOREIGN PATENT DOCUMENTS

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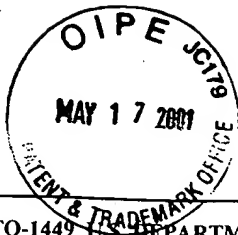
OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

NDR	AQ	Chain Store Age publication, July 1, 1999, page 168, Article titled "Now that's Fresh"
NDR	AR	Harrisburg Patriot News, June 4, 2000, Pages D1 and D11, Article titled "Services Fix Weak Spots In Online Retail Process"
NDR	AS	Wall Street Journal, June 21, 2000, Page B11, Article titled "Shoppers Find Blowout Sale On Net Is Over"

EXAMINER Nicholas D. RobinDATE CONSIDERED November 3, 2003

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

0006



Sheet 2 of 2

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
3520-000808-HSERIAL NO.
09/707,185

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INFORMATION DISCLOSURE STATEMENT
STATEMENT BY APPLICANTAPPLICANT(S)
Stephen D. Tiley et al.

MAY 22 2001

(Use several sheets if necessary)

FILING DATE
November 6, 2000GROSS
2161 Technology Centre

U.S. PATENT DOCUMENTS

EXAMINER INITIAL		DOCUMENT NUMBER							DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
NDR	AA	6	1	3	4	5	4	8	10-17-00	Gottzman et al.	705 707	5	
NDR	AB	6	1	3	1	0	8	7	10-10-00	Luke et al.	705	26	
NDR	AC	6	1	1	9	0	9	8	9-12-00	Guyot et al.	705	14	
NDR	AD	6	0	7	8	8	9	7	6-20-00	Rubin et al.	705	14	
NDR	AE	6	1	3	8	9	1	1	10-31-00	Fredregill et al.	235	383	
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	AH												
	AI												
	AJ												
	AK												

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER							DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
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	AM													
	AN													
	AO													
	AP													

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

NDR	AQ		Paxzone.com, June 6, 2000, Miscellaneous pages from Web Site
NDR	AR		Chicago Tribune, November 29, 1999, Article titled "Shipments Shape Up"
	AS		

EXAMINER

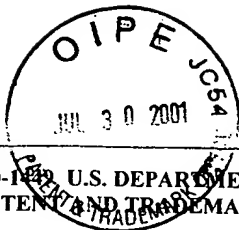
Nicholas D. Rosen

DATE CONSIDERED

November 3, 2003

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005



#5

Sheet 1 of 5

FORM PTO-142 U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICEATTY. DOCKET NO.
3520-000808-HSERIAL NO.
09/707,185INFORMATION DISCLOSURE STATEMENT
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U.S. PATENT DOCUMENTS

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	AA						
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Technology Center 2100

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION
							YES NO
	AL						
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	AO						
	AP						

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

NDR	AQ	Chain Store Age publication, July 1, 1999, page 168, Article titled "Now that's Fresh" (2 pages.)
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1115

JUL 30 2001

Sheet 2 of 5

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
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NDR	AT	Miscellaneous pages printed on June 5, 2000 from Internet site Paxzone.com (17 pages.)
NDR	AU	Chicago Sun Times, November 29, 1999, Article titled "Shipments Shape Up" (2 pages.)
NDR	AV	Paxzone.com literature received from Paxzone in June of 2000 (undated) (5 pages)

EXAMINER

Nicholas D. Room

DATE CONSIDERED

November 3, 2003

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8/22/03 10:00

JUL 30 2001

Sheet 3 of 5

FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
PATENT AND TRADEMARK OFFICE

ATTY. DOCKET NO.
3520-000508-11

SERIAL NO.
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JUN 08 2006

U.S. PATENT DOCUMENTS

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AA						
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						YES	NO
AL							
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

NDR	AW	Article titled "In Japan, the Hub of E-Commerce Is a 7-Eleven" from the Wall Street Journal dated November 01, 1999 (2 pages)
NDR	AX	Article titled "EBAY TEAMS WITH BOXES ETC. AND ISHIP.COM TO PROVIDE PERSON-TO-PERSON E-COMMERCE SHIPPING SOLUTIONS" dated April 12, 2000 from Internet site www.mbe.com (2 pages).
NDR	AY	Page titled "Shop and Learn" printed December 6, 1999 from Internet site www.circuitcity.com (1 page).

EXAMINER

DATE CONSIDERED

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FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
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AL							
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OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

NDR	AZ	Page entitled "PackageNet 3,000 Convenient Locations Nationwide" printed January 4, 2000 from Internet site <u>www.packagenet.com</u> (1 page).
NDR	AAQ	Pages entitled "PackageNet Web Kit" printed January 11, 2000 from Internet site <u>www.packagenet.com</u> (3 pages).
NDR	AAR	Page entitled "MSN Shopping Offers Convenient, Helpful Shopping Tools in Time for Holiday Rush" printed January 4, 2000 from Internet site <u>www.microsoft.com</u> (1 page).

EXAMINER

Nicholas D. Rosen

DATE CONSIDERED

November 20, 2003

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JUL 30 2001

Sheet 5 of 5

 FORM PTO-1449 U.S. DEPARTMENT OF COMMERCE
 PATENT AND TRADEMARK OFFICE

 ATTY. DOCKET NO.
 3520-000808-H

 SERIAL NO.
 09/707,185

 INFORMATION DISCLOSURE STATEMENT
 STATEMENT BY APPLICANT

 APPLICANT(S)
 Stephen D. Tiley et al.

(Use several sheets if necessary)

 FILING DATE
 November 6, 2000

 GROUP
 2161

JUN 08 2000

PATENT & TRADEMARK OFFICE

U.S. PATENT DOCUMENTS

EXAMINER INITIAL	DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
AA						
AB						
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						YES	NO
AL							
AM							
AN							
AO							
AP							

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)

NDR	AAS	Article entitled "PackageNet Boosts Home Delivery" from The Forrester Brief dated April 30, 1998 (2 pages).
NDR	AAT	Forbes Magazine article entitled "Amazon malls" dated June 12, 2000 (2 pages).
NDR	AAU	Forbes Magazine article entitled "Shop Till You Flop" dated January 22, 2001 (1 page).

EXAMINER

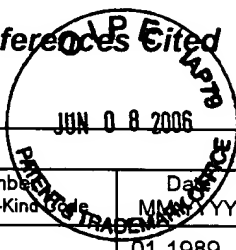
Nicholas D. Roper

DATE CONSIDERED

November 3, 2003

EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

Notice of References Cited



Application/Control No.

09/707,185

Applicant(s)/Patent Under
Reexamination
TILEY ET AL.

Examiner

Nicholas D. Rosen

Art Unit

3625

Page 1 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-4,797,818-A	01-1989	Cotter	705/15
	B	US-5,353,218-A	10-1994	De Lapa et al.	705/14
	C	US-5,758,328-A	05-1998	Giovannoli	705/26
	D	US-5,832,457-A	11-1998	O'Brien	705/14
	E	US-6,249,772-B1	06-2001	Walker et al.	705/26
	F	US-6,381,582-B1	04-2002	Walker et al.	705/26
	G	US-2001/0037207-A1	11-2001	Dejaeger	705/1
	H	US-2001/0042024-A1	11-2001	Rogers	705/26
	I	US-2002/0004782-A1	01-2002	Cincotta	705/39
	J	US-2002/0099622-A1	07-2002	Langhammer	705/26
	K	US-2002/0178071-A1	11-2002	Walker et al.	705/26
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N	JP-11-66176-A	03-1999	Japan	Kosaka	
	O					
	P					
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	R					
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NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)			
	U	Fox, B., "Not Just the Design Is Incredible; Ssystems Provide Showmanship at Incredible Universe," Chain Store Age Executive with Shopping Center Age, Vol. 70, No. 1, p. 89, January 1994.			
	V	Elson, J., "Chains Testing Shipping Center, Disney Event," Supermarket News, Vol. 46, No. 47, p. 50+, November 18, 1996.			
	W	Anon., "MICROSOFT: The Microsoft Plaza Brings Product Returns Convenience to Online Shoppers," Business Wire, December 1, 1997.			
	X	Galler, B.A., "IP: NYT Digital Commerce: Is Delivery the DealBreaker for E-commerce," Usenet post, newsgroup umich.interesting.people, March 3, 1998.			

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

Notice of References Cited	Application/Control No. 09/707,185	Applicant(s)/Patent Under Reexamination TILEY ET AL.	
	Examiner Nicholas D. Rosen	Art Unit 3625	Page 2 of 2

U.S. PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Name	Classification
	A	US-			
	B	US-			
	C	US-			
	D	US-			
	E	US-			
	F	US-			
	G	US-			
	H	US-			
	I	US-			
	J	US-			
	K	US-			
	L	US-			
	M	US-			

FOREIGN PATENT DOCUMENTS

*		Document Number Country Code-Number-Kind Code	Date MM-YYYY	Country	Name	Classification
	N					
	O					
	P					
	Q					
	R					
	S					
	T					

NON-PATENT DOCUMENTS

*		Include as applicable: Author, Title Date, Publisher, Edition or Volume, Pertinent Pages)
	U	Anon., "Riding the Internet How Much Will It Cost to Get on, How Far Can It Take You and Are You Sure You're Ready?" Supermarket News, Vol. 48, No. 25, p. 71, June 22, 1998.
	V	Pages from www.PackageNet.com, as of April 20, 1999.
	W	
	X	

*A copy of this reference is not being furnished with this Office action. (See MPEP § 707.05(a).)
Dates in MM-YYYY format are publication dates. Classifications may be US or foreign.

JUN 12 2006

Application No. 09/707,185
Amendment Dated September 12, 2005
In Reply to Office Action of March 10, 2005
Attorney Docket No. 3520-000808H



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No. : 09/707,185 Confirmation No.: 8116
Applicants : Stephen D. TILEY et al.
Title : METHOD OF INDUCING A PURCHASER TO VISIT A
: RETAIL OUTLET AT A REMOTE LOCATION AND OF
: INDUCING A RETAIL OUTLET TO ACT AS SUCH A
: REMOTE LOCATION
Filed : November 6, 2000
Group Art Unit : 3625
Examiner : Nicholas D. Rosen
Customer No. : 28289

AMENDMENT

MAIL STOP AMENDMENT
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Office Action of March 10, 2005, please find enclosed a Petition for Extension of Time extending for three months, from June 10, 2005 to September 12, 2005, the time in which to file a response to the outstanding Office Action. September 10, 2005 was a Saturday and the next business day is Monday September 12, 2005.

Please amend the above-identified application as follows:

Amendments to the Claims are reflected in the listing of claims which begins on page 2 of this paper.

Remarks begin on page 16 of this paper.

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to the Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on September 12, 2005.

James G. Porcelli

(Typed name of person mailing paper.)

Signature

09/12/2005
Date

EA. ^{accepting from the purchaser a selection of one of those retail}
b) ~~permitting the purchaser to select one of those retail outlets for product~~ ^{outlets}
pickup based upon the customized benefits offered by the retail outlet to that purchaser.

(2) (Currently Amended) The method according to claim 1 further comprising the step of arranging for the purchaser to pick up ~~or return~~ the product at the selected outlet.

3. (Cancelled) ~~The method according to claim 1 wherein one benefit to the purchaser is reduced shipping cost.~~

³ A. (Currently Amended) The method according to claim ~~3~~ ¹ wherein the reduced shipping cost is calculated based upon marketing variables.

⁴ ~~5~~ (Currently Amended) The method according to claim ³ ~~4~~ wherein the marketing variables are comprised of at least one from the group of purchaser name, product purchased, store location, purchaser location, time of product pick up ~~or return~~, identity of supplier and history of purchaser's buying in similar prior transactions.

⁵ ~~6~~ (Currently Amended) The method according to claim 1 wherein the group of benefits further includes ~~steps of evaluating at least one retail outlet further comprises providing to the purchaser at least one from the group of benefits of:~~

- a) the opportunity for the purchaser to inspect the product before it is picked up;
- b) the opportunity for the purchaser to delay payment until actually receiving the product;
- c) the opportunity for the purchaser to withhold payment if the product is not acceptable;
- d) the option for the purchaser to select an outlet at which to pick up the product;

- e) the opportunity to select the most convenient remote location in which to pick up ~~or return~~ a product from among a plurality of outlets;
- f) the opportunity to use a remote location for package pick up or delivery; and
- g) the opportunity to reduce the cost to ship the product in exchange for a guaranteed purchase in the remote location.

⁶ 7. (Currently Amended) The method according to claim ³ 1 ~~4~~ wherein the a benefit to the purchaser is a reduction in shipping cost and such a reduction is based upon marketing variables comprised of at least one from the group of purchaser name, product purchased, store location, purchaser location, time of product pick up ~~or return~~, identity of supplier and history of purchaser's buying in similar prior transactions.

⁷ 8. (Currently Amended) The method according to claim 1 wherein the a benefit to the purchaser is an in-store credit and such a credit is based upon marketing variables comprised of at least one from the group of purchaser name, product purchased, store location, purchaser location, time of product pick up ~~or return~~, identity of supplier and history of purchaser's buying in similar prior transactions.

¹³ 9. (Currently Amended) A computer-implemented method of inducing a purchaser to visit a ~~store~~ retail outlet at a remote location upon the purchase of a product from a supplier to pick up ~~or to return~~ the product, the method comprising the steps of:

- a) identifying using a computer a plurality of remote locations as potential outlets;
- b) identifying to the purchaser, through a computer, at least one benefit to the purchaser offered by each of at least two retail outlets to induce the purchaser to visit one of those retail outlets, wherein the at least one benefit from each of the retail outlets is customized based upon information about the purchaser provided prior to pick up of the product, wherein the at least one benefit to the purchaser is one from the group consisting of a reduction in shipping

2nd AT. (Currently Amended) A computer-implemented method of inducing a purchaser to visit a ~~store~~ retail outlet at a remote location ~~upon the purchase of a product from a supplier to pick up or to return the~~ a purchased product, the method comprising the steps of:

5 a) identifying using a computer a plurality of ~~remote locations~~ retail outlets as potential ~~outlets~~ product pick up locations;

b) identifying using a computer a plurality of purchaser benefits that may be desired by a purchaser for selecting an outlet;

c) identifying, through a computer, at least one benefit to the purchaser offered by each of at least two retail outlets to induce the purchaser to visit one of those retail outlets, wherein the at least one benefit from each of the retail outlets is customized based upon information about the purchaser provided prior to pick up of the product, wherein the at least one benefit to the purchaser is one from the group consisting of a reduction in shipping cost for the product, in-store credit provided by the retail outlet and discount coupons provided by the retail outlet, wherein the product must be shipped pursuant to a purchase by the purchaser and wherein the product is supplied from a supplier unrelated by ownership to the retail outlet;

d) evaluating using a computer each remote location relative to each purchaser benefit;

e) identifying using a computer a plurality of benefits to an outlet that may be desired by an outlet serving the purchaser;

f) evaluating using a computer each purchaser benefit relative to each outlet benefit;

g) selecting using a computer one or more remote locations based upon a combination of purchaser benefits and outlet benefits;

h) assigning using a computer a weight to each purchaser benefit and each outlet benefit; ~~and~~

i) identifying such selected locations to the purchaser; and

10 A j) accepting from the purchaser a selection of one of these retail outlets for product pickup based upon the customized benefits offered by the retail outlet to that purchaser. *retail outlets.*

purchaser provided prior to pick up of the product, wherein the product must be shipped pursuant to a purchase by the purchaser and wherein the product is supplied from a supplier unrelated by ownership to the retail outlet;

b) selecting using a computer at least one of those remote locations as suitable to the purchaser;

~~c) identifying using a computer to the purchaser at least one of the retail outlets and at least one associated benefit for pick up or return of the primary product;~~

E A
~~cd) permitting the purchaser to select an outlet from those identified to pick up or return the product~~ *accepting from the purchaser a selection of one of those retail outlets*
permitting the purchaser to select one of those retail outlets for product pickup based upon the customized benefits offered by the retail outlet to that purchaser;

de) assembling using a computer a purchaser profile based upon information about the purchaser; and

~~ee)~~ providing some or all of the information in the purchaser profile to the selected retail outlet for direct marketing by the retail outlet to the purchaser.

²⁹~~27~~ (Original) ²⁸~~26~~ The method according to claim ~~26~~ wherein the step of assembling the purchaser profile is performed by extracting information provided by the purchaser, wherein such information is necessary for processing the purchase order and for delivery of the product to a retail outlet.

³⁰~~28~~ (Currently Amended) ²⁸~~27-26~~ The method according to claim ~~27-26~~ wherein the step of assembling the purchaser profile is performed by extracting information provided by the purchaser, wherein such information is beyond that necessary for processing the purchase order and for delivery of the product to a retail outlet.

³¹~~29~~ (Original) ²⁸~~26~~ The method according to claim ~~26~~ further including the step of direct marketing to the purchaser based upon information in the purchaser profile.

³²~~30~~ (Original) ²⁸~~29~~ The method according to claim ~~29~~ wherein the direct marketing may be provided before, during or after the purchaser visits the selected retail outlet.

44 ~~41~~ (Original) The method according to claim ~~40~~⁴³ wherein the direct marketing is comprised of the step of providing a reduction in shipping cost based upon marketing variables.

EA 45 ~~42~~ (Currently Amended) The method according to claim ~~41~~⁴⁴ wherein the marketing variables are comprised of at least one from the group of purchaser name, product purchased, ~~store~~^{retail outlet} location, purchaser location, time of product pick up ~~or return~~, identity of supplier and history of purchaser's buying in similar prior transactions.

46 ~~43~~ (Original) The method according to claim ~~40~~⁴³ wherein the direct marketing is comprised of the step of providing in-store credit based upon marketing variables.

EA 47 ~~44~~ (Currently Amended) The method according to claim ~~43~~⁴⁶ wherein the marketing variables are comprised of at least one from the group of purchaser name, product purchased, ~~store~~^{retail outlet} location, purchaser location, time of product pick up ~~or return~~, identity of supplier and history of purchaser's buying in similar prior transactions.

EA 48 ~~45~~ (Currently Amended) A method of direct marketing to individuals visiting a ~~store~~^{retail outlet} at a remote location to send a product to another destination, comprising the steps of:

a) identifying to the purchaser, through a computer, at least one benefit to the purchaser offered by each of at least two retail outlets to induce the purchaser to visit one of those retail outlets, wherein the at least one benefit from each of the retail outlets is customized based upon information about the purchaser provided prior to pick up of the product, wherein the product is being shipped to an individual or original supplier of the product which is unrelated by ownership to the retail outlet;

ba) informing the ~~store~~^{retail outlet} in advance an individual will be visiting the store;

cba) receiving using a computer information about ~~the~~ ^{retail outlet} an individual, wherein at least some such information is provided by the individual in the course of or upon selecting a ~~store~~ for sending a product to another destination but prior to the ~~store visit~~ ^{retail outlet} prior to the store visit

~~wherein such information includes data independent of that collected by the store based upon prior customer behavior with that store; and~~

~~deb)~~ using this information to direct market to the individual before, during or after the ~~store~~ visit.

retail outlet

⁴⁹ ~~46.~~ (Original) The method according to claim ⁴⁸ ~~45~~ wherein the direct marketing is comprised of providing at least one from the group of a reduction in shipping cost, in-store credit, customized advertisements and cross-selling opportunities.

⁵⁰ ~~47.~~ (Original) The method according to claim ⁴⁹ ~~46~~ wherein the direct marketing is comprised of the step of providing a reduction in shipping cost based upon marketing variables.

⁴¹ ~~48.~~ (Currently Amended) The method according to claim ⁴⁰ ~~38~~, wherein the step of basing the marketing message upon information that is known by an administrator comprises basing the marketing messages upon at least one from the identity of the purchaser and the time the purchaser will be traveling to a certain retail outlet to ~~pick-up or drop off~~ a product.

⁸ ~~49.~~ (Previously Presented) The method according to claim 1, wherein the reduction in shipping cost is provided by the retail outlet to the purchaser.

⁹ ~~50.~~ (Currently Amended) The method according to claim 1, wherein the reduction in shipping cost is provided by ~~the~~ a carrier who will ship the product.

¹⁰ ~~51.~~ (New) The method according to claim 1, wherein the reduction in shipping cost is provided by the supplier of the product to be shipped.

¹¹ ~~52.~~ (New) The method according to claim 1, wherein the at least one benefit provided by the retail outlet to a purchaser is calculated by pre-defined criteria provided in advance by the retail outlet to ~~the~~ ^{an} administrator.

*This should be
in PTO but
the duplicated #9*

E A

2.1



Notice of Allowability

Application No.	Applicant(s)	
09/707,185	TILEY ET AL.	
Examiner	Art Unit	
Nicholas D. Rosen	3625	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

- 1. ☒ This communication is responsive to the amendment of September 15, 2005.
- 2. ☒ The allowed claim(s) is/are 1,2,4-10,12-18 and 20-53.
- 3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 - 1. ☐ Certified copies of the priority documents have been received.
 - 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 - 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

- 4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 - 5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
- 6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

Art Unit: 3625

one of those retail outlets” is hereby amended to read **“accepting from the purchaser a selection of one of those retail outlets”**.

In the second line of claim 39 (preamble), “store” is hereby amended to read, “retail outlet”. In claim 39, part (b), “permitting the purchaser to select one of those retail outlets” is hereby amended to read **“accepting from the purchaser a selection of one of those retail outlets”**. In claim 39, part (c), both instances of “store” are hereby amended to read **“retail outlet”**. In claim 39, part (d), both instances of “store” are hereby amended to read **“retail outlet”**. In claim 39, part (e), “store” is hereby amended to read **“retail outlet”**.

In claim 42 (third line), “store” is hereby amended to read **“retail outlet”**.

In claim 44 (third line), “store” is hereby amended to read **“retail outlet”**.

In the second line of claim 45 (preamble), “store” is hereby amended to read **“retail outlet”**. In claim 45, part (b), both instances of “store” are hereby amended to read **“retail outlet”**. In claim 45, part (c), both instances of “store” are hereby amended to read **“retail outlet”**. In claim 45, part (d), “store” is hereby amended to read **“retail outlet”**.

In claim 52, “the administrator” is hereby amended to read **“an administrator”**.

In claim 53, “the administrator” is hereby amended to read **“an administrator”**.

Allowable Subject Matter

Claims 1, 2, 4-8, and 49-53 are allowed.